

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION**

MDL No. 2:18-mn-2873-RMG

**This Document relates to
Campbell v. Tyco Fire Products LP et al.,
No. 2:19-cv-00422-RMG**

**AMENDMENT TO ORDER
APPROVING ATTORNEYS' FEES AND COSTS**

WHEREAS Plaintiffs RICHARD CAMPBELL and JOAN CAMPBELL (“Plaintiffs”), both individually and on behalf of all Settlement Class Members, through their attorneys of record, timely filed their Motion For Plaintiffs’ Counsel’s Attorneys’ Fees and Costs (Dkt. No. 1255) and the Motion for Final Approval of Fees and Costs (Dkt. No. 1557) (hereinafter the “Motions”); and

WHEREAS, by order dated January 25, 2021 (“Preliminary Approval Order”), this Court granted preliminary approval of the proposed class action settlement between the Parties; and

WHEREAS, the Court also provisionally certified a Settlement Class and appointed Class Counsel and a class representative for settlement purposes only, and approved the procedure for giving notice and the forms of notice; and

WHEREAS, on May 24, 2021, the Court held a duly noticed final fairness hearing (“Fairness Hearing”) to consider, among other things: (1) whether the terms and conditions of the settlement and Settlement Agreement are fair, reasonable, and adequate; (2) whether the Settlement Class should be finally certified for purposes of settlement only; (3) whether a judgment should be entered dismissing Plaintiffs’ complaint on the merits and with prejudice in favor of Defendants and against all persons or entities who are Settlement Class Members; and (4) whether and what amount to award attorneys’ fees and expenses to counsel for the Settlement Class, as

requested in the Motions; and

WHEREAS, the Court considered all matters submitted to it at the Fairness Hearing and otherwise, including all information provided by the Parties with the Motions and all timely objections and responses to the Motions from Class Members (“Objections”); and

WHEREAS, the Court has issued its ORDER APPROVING ATTORNEYS’ FEES AND COSTS dated August 4, 2021 (Docket Entry Number 1813); and

WHEREAS, it was brought to the Court’s attention that the ORDER APPROVING ATTORNEYS’ FEES AND COSTS did not specify that an assessment for the deduction of Common Benefit Expenses is to be paid from the Settlement Amount, as required under CMO #3 (Docket Entry Number 72); now therefore

IT IS HEREBY ORDERED THAT:

Paragraph 9 of this Court’s ORDER APPROVING ATTORNEYS’ FEES AND COSTS dated August 4, 2021 (Docket Entry Number 1813) shall be amended as follows:

9. The Settlement Administrator is, therefore, ORDERED to pay Plaintiffs’ counsel attorneys’ fees in the amount of \$4,999,500.00 and costs in the amount of \$393,754.60 (collectively, the “Total Award”) upon receipt of the Settlement Amount in accordance with the terms of the Amended Settlement Agreement, and that the Common Benefit Fee Assessment of 6% (\$900,000) shall be paid and deducted from the Total Award, and the Common Benefit Cost Assessment of 3% (\$450,000) shall be paid and deducted from the Settlement Amount, in the manner required under CMO 3.

IT IS SO ORDERED on this 11th day of October, 2022.

s/Richard M. Gergel
Hon. Richard M. Gergel, U.S. District Judge